

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	Criminal No. 05-30042-MLW
v.	)	
	)	
CESAR CRUZ et al,	)	
Defendant	)	

**DEFENDANTS' SUPPLEMENTAL NOTICE PURSUANT TO FEDERAL  
RULES OF EVIDENCE 404(b)  
OF HIS INTENTION TO USE PRIOR BAD ACTS OF THE  
GOVERNMENT'S COOPERATING WITNESS, JULIAN RIOS**

Now come the Defendants in the above-referenced matter and notify the Government of their intention to use the additional following prior bad act(s) of its cooperating witness, Julian Rios, at trial in the matter pursuant to FRE 404(b):

3. Rios failed to pay income taxes on monies and other compensation which he received from the Federal Government while acting as a cooperating witness in this case.

Respectfully submitted,  
THE DEFENDANT  
RICARDO DIAZ

THE DEFENDANT  
CESAR CRUZ

/s/ Terry Scott Nagel, Esq.  
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on September 20, 2006.

/s/ Joseph A. Franco, Esq.